

EXHIBIT 4

1 Q. And at that point did you attempt to
2 get her to identify who was Jesus or otherwise
3 known as Chato, the individual who did the
4 shooting?

5 A. Yes I did.

6 Q. And as part of that did you show her a
7 photographic lineup?

8 A. Yes I did.

9 Q. And in that photographic lineup did you
10 pick out a picture of a person known as Jesus
11 Madrigal?

12 A. Yes I did.

13 Q. All right. And was she able to pick
14 out from the photo lineup the person known as Jesus
15 Madrigal?

16 A. Yes she was.

17 Q. Okay. And did you later have contact
18 with that person?

19 A. With Jesus Madrigal?

20 Q. Yes.

21 A. Yes I did.

22 Q. And is he in the courtroom here today?

23 A. Yes he is.

24 Q. Would you point him out for the record
25 please?

26 A. He is seated at the defense table

1 wearing a red jumpsuit.

2 THE COURT: Record will reflect that he has
3 identified the defendant.

4 MR. VALCORE:

5 Q. Did you discuss the incident with
6 Mr. Madrigal?

7 A. Yes he did.

8 Q. Did he admit that he indeed was the
9 person who was there that day?

10 A. Yes he did.

11 Q. Thank you. No further questions.

12 THE COURT: Cross?

13 CROSS EXAMINATION

14 MR. ROBINSON:

15 Q. What did he tell you happened?

16 A. He told me that he was at his home
17 located on Road 57 in the Delft Colony area when
18 Yvette Madrid arrived at the residence and
19 subsequently Yvette and his wife Yolanda became
20 involved in a physical altercation in front of the
21 residence.

22 Q. Did he know what the two women were
23 fighting about?

24 A. I would need to refer to my report to
25 be specific whether or not he knew. I believe he
26 told me it was about the bicycle or the two

1 children.

2 Q. And your investigation has shown you
3 that other witnesses have confirmed that the two
4 women were fighting over a missing child's bicycle?

5 A. Yes.

6 Q. Did my client tell you that the
7 argument between the two women became a physical
8 fight?

9 A. Yes he did.

10 Q. What did he tell you then?

11 A. He said that basically he was trying to
12 get them to break up the fight and in his words
13 Fernando was trying to instigate it and he was
14 trying to break it up.

15 Q. Who is Fernando?

16 A. Fernando I believe is the husband or
17 boyfriend of Yvette Madrid who's the sister of
18 Eunice Solis AKA Madrid.

19 Q. All right. So the two women are
20 fighting and the men then are either trying to
21 break it up or trying to instigate the fight
22 further.

23 A. Yes. Depending on what side.

24 Q. And then what happened after that?

25 A. He told me that Fernando approached him
26 and struck him in the face with what he believed to

1 be a pair of brass knuckles that was on his hand.
2 And in his words he said that he was then knocked
3 to the ground and rendered unconscious.

4 Q. Was he able to tell you how long he
5 thought he was out?

6 A. I don't believe he was. He just said
7 that he was out.

8 Q. Was he able to tell you what happened
9 after he got knocked down and knocked out?

10 A. He wasn't able to tell me what happened
11 directly after that other than the fact that
12 another person that lived, a male subject that
13 lived somewhere near in the Delft Colony area had
14 picked him up and drove him out of the area.

15 Q. Now did you tell him that witnesses
16 there had accused him of getting up and starting to
17 shoot?

18 A. Yes I did.

19 Q. What was his response to that?

20 A. In essence he denied that he had
21 possession of a firearm, but he wouldn't rule out
22 the possibility that this could have happened.

23 Q. Now at some time during your
24 investigation did you have a chance to talk to my
25 client's wife?

26 A. Yes I did.